

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

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|---|------------------------|--|----------------------------------|--------------|
| AGENCY NAME Mississippi Department of Marine Resources | | CONTACT PERSON Michaela Hill | TELEPHONE NUMBER 228 523-4011 | |
| ADDRESS 1141 Bayview Avenue | | CITY Biloxi | STATE MS | ZIP 39530 |
| EMAIL Michaela.hill@dmr.ms.gov | SUBMIT DATE 3/15/11 | Name or number of rule(s): Title 22, Part 7 | | |

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Proposed change to Title 22, Part 7, Chapter 9, Sections 107, 108 and 109 to provide that the annual Total Allowable Catch (TAC) for commercial landings of flounder set at 74,000 pounds, Red Drum set at 35,000 pounds, and spotted sea trout set at 40,000 pounds, shall for the current commercial season, run from October 1, 2010 through December 31, 2011, and thereafter the TAC shall commence on January 1 and end on December 31 of each subsequent year or close when the TAC is met.

Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 49-15-15, APA, § 25-43-1.101 *et seq.*

List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 7, Chapter 9, Sections 107, 108 and 109

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.


ECONOMIC IMPACT STATEMENT:

☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

| TEMPORARY RULES | PROPOSED ACTION ON RULES | FINAL ACTION ON RULES |
|---|---|---|
| _____ Original filing _____ Renewal of effectiveness. To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____ | Action proposed: _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: _____ 30 days after filing _____ Other (specify): _____ | Date Proposed Rule Filed: <u>2-18-2011</u> Action taken: <input checked="" type="checkbox"/> Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing <input checked="" type="checkbox"/> Other (specify): <u>4/15/2011</u> |

Printed name and Title of person authorized to file rules: Dr. William W. Walker, Executive Director

Signature of person authorized to file rules: [Signature] 3/15/2011

| OFFICIAL FILING STAMP | DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP | OFFICIAL FILING STAMP |
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| <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____ | <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____ | <div style="border: 1px solid black; padding: 10px; text-align: center;">  </div> Accepted for filing by <u>CBT7604</u> |

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.